srp.

HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4433 OF 2007.

1. Samartha Seva Trust,
At: Shirgaon, Post: Kulgaon,
Tal:Badlapur, Dist: thane,

2. Samartha Vidyalay,

3. Sou. Manasi Mohan Godbole. ..Petitioners.

Versus.

1. The State of Maharashtra.
2. The Education Officer. ..Respondents.

Mr. N. V. Bandiwadekar for the petitioner.

Mr. M. P. Malavankar A.G.P. for the State.

CORAM: S. B. MHASE &
D.G.KARNIK,JJ.

DATE: JULY 18, 2007.

P.C.

1. Rule. Rule returnable forthwith.

2. The petitioner No.3 was appointed as a Shikshan Sevak by order dated 13th June 2005. The respondent has granted approval for the period of 13.6.2007 till 12.6.2008, by order dated 14.10.2006 / 3.1.2007. However, the petitioner’s appointment was cancelled and approval was withdrawn by the respondent by order dated 4.5.2007. The said order is challenged by the petitioner. This petition can be allowed and the said order dated 4.5.2007 can be struck down only on the ground that the said order has been passed

affecting the civil rights of the petitioner and her claim to the post of Shikshan Sevak without giving her a hearing opportunity. Therefore, the order is bad and illegal. In the facts and circumstances of the case the order dated 4.5.2007 passed by the respondent - Education Officer, Secondary, Zilla Parishad Thane in respect of the petitioner is hereby quashed and set aside. Rule made absolute accordingly.

(D.G.KARNIK, J.) **(S.B.MHASE, J.)**